

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JUSTIN RIDDLE,

Case No. 8:23-cv-00455

Plaintiff,

v.

DECLARATION OF DAVID J. KRAMER

OMAHA PUBLIC SCHOOLS,

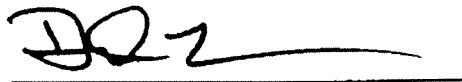
Defendant.

I, David J. Kramer, declare and state as follows:

1. I am a resident of Douglas County, Nebraska, am over the age of 19 years, and make this declaration with personal knowledge of the matters set forth.
2. I am a partner at the law firm of Baird Holm, LLP, and serve as the lead outside counsel for the Omaha Public Schools ("OPS").
3. Attached as Exhibit "A" is a true and correct copy of OPS Policy 8346.
4. Attached as Exhibit "B" are true and correct copies of the docket sheet, the pleadings, the order, and the transcript from the hearing for a harassment protection order by then OPS Board President, Dr. Shavona Holman, against Justin Riddle, Douglas County District Court, CI 21-8450.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing statements are true and correct.

Executed this 27th day of November, 2023, in Omaha, Nebraska.



David J. Kramer

8346 - Public Participation at Board Meetings

Last Updated Date: 10/17/2022

Adoption Date: 08/04/2014

Revision History: 11/15/2021

A. Attend:

Members of the public shall be permitted to attend board meetings. They will not be required to identify themselves as a condition for admission to the meeting.

With the prior approval of the President of the Board, the Board may allow advisors, consultants, and other persons who are not Board members to appear at the meeting via telephone or other similar means.

The President of the Board has the authority to assure that people conduct themselves in an orderly manner at the meeting. Undue interruption or other interference with the orderly conduct of business will not be allowed. The President of the Board may order persons who are disorderly to be removed from the meeting and/or to direct the microphone be turned off.

Legal Reference: § 84-1411 (3) and (6); § 84-1412 (1) and (3)

B. Hear:

The Board will, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

Legal Reference: § 84-1412 (7)

C. Record:

Members of the public may use recording devices (tape recorder, video camera, etc.) to record any part of a meeting of a public body, except for closed sessions. The

President or the Board /Secretary shall control the placement of any recording device.

Legal Reference: § 84-1412 (1)

D. Access to Written Materials:

At least one copy of all reproducible written material to be discussed at an open meeting will be made available at the meeting for examination and copying by members of the public.

Legal Reference: § 84-1412 (8)

E. Speak:

Members of the public will be permitted to speak at Board meetings at which a public comment is on the Agenda and may speak during the time at which the public comment agenda item is being addressed. Members of the public may also speak when invited to make a presentation or when recognized by the chair. The Board is not required to allow members of the public to speak at each meeting. However, the Board will not forbid public participation at all meetings.

Members of the public will not be required to have their name be placed on the agenda prior to the meeting in order to speak about items on the agenda. However, members of the public who desire to address the Board during public comment are required to complete a Request to be Heard form. The Request to be Heard form must be submitted no later than five (5) minutes after the meeting has been called to order. The President of the Board for the meeting shall have the authority to determine the order of public speakers, while making an effort to allow speakers who are students to speak first. Members of the public are asked to remain seated in the audience until called to the podium by the President or chair for the meeting. Once called to the podium, Nebraska Revised Statute section 84-1412(3) requires that members of the public identify themselves, spelling their name, stating an address and the name of any

organization the member of the public is representing. Members of the public may request that the address requirement be waived to protect their security by so stating on the Request to be Heard form. Students of the Omaha Public Schools need not provide their address. While at the podium, the speaker shall not approach the Board table or individual Board Members. Members of the public who have documents or written testimony they wish to submit/distribute to the Board should state that from the podium and a member of the District staff will take such items for distribution to the Board Members.

The maximum permitted duration for individual speakers is five (5) minutes, and the maximum permitted duration for the public comment session will be one (1) hour. The Board Secretary will let speakers know when they have one minute remaining and when they have 30 seconds remaining. Once the five minutes have passed, the microphone will be turned off and the member of the public will be asked to leave the podium.

Speakers will be permitted to address the Board consistent with free speech rights. However, offensive language, defamatory remarks, and hostile conduct will not be tolerated. If the subject of public comment is related to a particular student or staff member, members of the public are requested not to identify the student or staff member and instead provide that information to the Board Secretary who will assist the Board in looking into the matter. Allegations or complaints against an employee of, or volunteer for, the District shall not be made for the first time at a public Board meeting without having followed the District's applicable complaint procedure.

Legal Reference: § 84-1412 (1) (2) and (3)

F. Written Comment:

Members of the public will be permitted to provide written comment whether or not they

speak at a meeting. The Board Secretary will distribute the written comment to all Board members.

Official Nebraska Government Website

Nebraska Judicial Branch

EXHIBIT
B

Case Summary

In the District Court of Douglas County
The Case ID is CI 21 0008450
Shavonna L Holman v. Justin Riddle
The Honorable Duane C Dougherty, presiding.
Classification: Protection Order-Harassment
Filed on 08/23/2021
This case is Closed as of 09/16/2021
It was disposed as Tried to Court

Parties/Attorneys to the Case

Party	Attorney
Petitioner ACTIVE Shavonna L Holman 8269 Girard Street Omaha NE 68122	Cameron C Finke 1500 Woodmen Tower 1700 Farnam St. Omaha NE 68102 402-344-0500
Respondent ACTIVE Justin Riddle 16422 Patrick Avenue Omaha NE 68116	

Court Costs Information

Incurred By	Account	Date	Amount
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Financial Activity

No trust money is held by the court
No fee money is held by the court

Register of Actions

10/17/2022 Order
This action initiated by Duane C Dougherty
Disp of Exh
NS eNotice Certificate Attached
Image ID N22290CCGD01

09/16/2021 Cert-Service
This action initiated by party Justin Riddle
mp Mailed to rsp 9-16-21

Image ID 002232820D01

09/16/2021 PO-Har/Aftr Hrg-Ex Parte - was issued on Justin Riddle
The document number is 00754922
This action initiated by Duane C Dougherty

Document Number 754922
mp
Image ID 002232819D01

09/15/2021 Appearance of Counsel
This action initiated by party Shavonna L Holman
tk atty Cameron C Finke
Image ID N21258BBQD01

08/30/2021 Prot Ord/Sched Hrg
tk see doc image for court date

Image ID 002227179D01

08/30/2021 Opportunity to Be Heard

08/30/2021 Request Hrg-Harassment PO
This action initiated by party Justin Riddle
tk
Image ID 002227173D01

08/26/2021 Photocopy Made
Image ID D00750609D01

08/25/2021 Return-Prot Order
The document number is 00750241
Served on 08/25/2021
Personal Service on Justin Riddle

Image ID D00750551D01

08/24/2021 E-Mailed PDF Document
HARPOEX Document Number 750241 Party to Case
E-mailed to the Petitioner

08/24/2021 PO-Har/Ex Parte - was issued on Justin Riddle
The document number is 00750241
This action initiated by Duane C Dougherty
Document Number 750241
Image ID D00750241D01

08/23/2021 Social Security No./Gender/DOB DC6:
This action initiated by party Shavonna L Holman

08/23/2021 Praecipe-Prot Order

JB This action initiated by party Shavonna L Holman
Image ID 002221732D01

08/23/2021 Comp/Affd obtain Harassment PO
This action initiated by party Shavonna L Holman
JB
Image ID 002221729D01

Judges Notes

09/16/2021
Dougherty,Duane,C.
Matter came on for hearing. Petitioner appeared in person and with
counsel Jill Robb Ackerman. Respondent appeared personally as a self
represented litigant. Testimony given. Exhibits offered and received.
Signed Harassment Protection Order. (Ct. Rptr. Victoria Retzlaff).

Nebraska State Court Form
REQUIRED

DC 19:2 Rev. 01/20
Jeb. Rev. Stat. § 28-311.09

**PETITION AND AFFIDAVIT TO
OBTAIN HARASSMENT
PROTECTION ORDER**



002221729D01

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

Shavonna Leigh Holman

Case No. CI 21-8450

Petitioner,

Additional Petitioner/Minor Child(ren),

vs.
Additional Petitioner/Minor Child(ren),

Justin Riddle

Respondent.

**PETITION AND AFFIDAVIT TO
OBTAIN HARASSMENT
PROTECTION ORDER**

ASSIGNED TO Dougherty

1. I, Shavonna Leigh Holman, am the petitioner in this case. I am petitioning for a harassment protection order pursuant to Neb. Rev. Stat. § 28-311.09.

I am filing this petition on behalf of:

- Myself. I have been harassed.
- Myself and additional petitioner(s) who have been harassed and whose name(s) is/are shown after mine in the caption of this petition. My relationship to the additional petitioner(s)/minor child(ren) is/are: custodial parent, guardian, other: _____.
- Only on behalf of the additional petitioner(s) who have been harassed and whose name(s) is/are shown after mine in the caption of this petition. My relationship to the additional petitioner(s)/minor child(ren) is/are: custodial parent, guardian, other: _____.

AND:

- I am 19 or older or legally emancipated OR I am a minor and _____ years of age.
- I do not speak English. The language that I speak is: _____.

2. Check Only One:

- I have received address protection from the Secretary of State under the Address Confidentiality Program. (Service of any court process shall be made by mailing two copies of the process to the Office of Secretary of State, Address Confidentiality Program, Suite 2300, State Capitol Building, Lincoln, NE 68509)
- I am living at a safe house or shelter for my own protection. Pursuant to Neb. Rev. Stat. § 29-4303, I cannot identify the name, address, location or phone number of the facility.
- My address is:

8269 Girard Street

Omaha

NE

68122

(Street or Route/Box)

(City)

(State)

(ZIP code)

Mailing address (if different):

(Street or Route/Box)

(City)

(State)

(ZIP code)

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IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

AUG 23 2021

3. I do not agree to receive notification by email.

- I agree to receive notification by email.

email address: sleigheris@gmail.com

NOTE: By providing this email address, I acknowledge that I am aware that this information will be public record. I also understand that I will only receive email communications regarding this case from the court.

4. I am filing this petition against the respondent whose age is: _____ and who resides at:

16422 Patrick Avenue (Street or Route/Box)	Omaha (City)	NE (State)	68116 (ZIP code)
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Mailing address (if different)

(Street or Route/Box)	(City)	(State)	(ZIP code)
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(Phone number)

The respondent does not speak English. The language that the respondent speaks is: _____.

My relationship to the respondent is: other

5. The respondent is a person who has willfully harassed me and has engaged in a knowing and willful course of conduct directed at me which seriously terrifies, threatens, or intimidates me and serves no legitimate purpose.
6. To my knowledge, The respondent and I have or have not been involved in past or current court cases together. (i.e., divorce, paternity, custody, juvenile, criminal or protection orders) If so: when, where, type of case, name of court(s), and case number(s).

7. I hereby ask the court to enter a protection order (mark all that apply):

- prohibiting the respondent from imposing any restraint upon the person(s) seeking protection.
 prohibiting the respondent from harassing, threatening, assaulting, molesting, attacking, or otherwise disturbing the peace of the person(s) seeking protection.
 prohibiting the respondent from telephoning, contacting, or otherwise communicating with the person(s) seeking protection.

8. Pursuant to Neb. Rev. Stat. § 25-2740, I request to have a District Court Judge, or a County Court Judge preside over this proceeding. (I understand this request may not be granted.).

9. The dates or approximate dates and facts of the most recent series of acts and the most severe incident or incident(s) of harassment toward the person(s) seeking protection are (Please write a brief but detailed description.):

A. Date/Time: August 9th 2021 Description:

I am an elected official and I had to have this individual removed from our public meeting on August 9th by security and the police for not following meeting regulations, outbursts, and leaving the podium and approaching the dais, where I and my colleagues were sitting. Mr. Riddle began trolling me on Twitter through my work and elected official postings.

B. Date/Time: August 17, 2021 Description:

Aug 17th email, "if no one has replied to my by tomorrow at noon, you can expect the next level of pressure. If you don't see what happens in 3 weeks, you don't deserve to opportunity to fix it. You have 36 hours. Individually,you are both 100% safe from exposure and off the list, if we have your word that the bullshit ends. If not, look forward to phase 2.

C. Date/Time: August 21, 8:42 pm 2021 Description:

Mr. Riddle sent an email stating, "Thank you for the four of you who responded. You are officially safe. The rest of you, you will share the same fate that Cheryl and Barry will." This was the opening statement of his email.

10. I request the court treat this Petition and Affidavit for a Harassment Protection Order as a request for a sexual assault protection order or a domestic abuse protection order if it appears to the court, based on facts contained in this Petition and Affidavit and the evidence presented at a show cause hearing, that another type of protection order is more appropriate in this case, and the court makes such findings.

11. Additional Petitioner(s) (if needed):

Petitioner 2 (Minor Child):

Name: _____ Age: _____ Relationship to the Respondent: _____

Residence: _____

- The address of this Petitioner is the same as my address above.
 This Petitioner's address is:

(Street or Route/Box) _____ (City) _____ (State) _____ (ZIP code) _____

Petitioner 3 (Minor Child):

Name: _____ Age: _____ Relationship to the Respondent: _____

Residence: _____

- The address of this Petitioner is the same as my address above.
 This Petitioner's address is:

(Street or Route/Box) _____ (City) _____ (State) _____ (ZIP code) _____

Petitioner 4 (Minor Child):

Name:

Age:

Relationship to the Respondent:

Residence:

- The address of this Petitioner is the same as my address above.
- This Petitioner's address is:

(Street or Route/Box)

(City)

(State)

(Zip)

Petitioner 5 (Minor Child):

Name:

Age:

Relationship to the Respondent:

Residence:

- The address of this Petitioner is the same as my address above.
- This Petitioner's address is:

(Street or Route/Box)

(City)

(State)

(Zip)

Petitioner 6 (Minor Child):

Name:

Age:

Relationship to the Respondent:

Residence:

- The address of this Petitioner is the same as my address above.
- This Petitioner's address is:

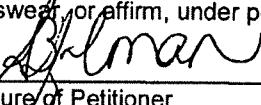
(Street or Route/Box)

(City)

(State)

(Zip)

I hereby swear, or affirm, under penalty of perjury, the foregoing affidavit is true.

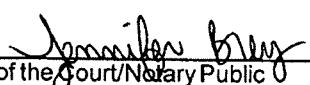

Signature of Petitioner

(Name, Firm name, and Bar Number IF being completed by an attorney)

(do NOT sign UNTIL THE CLERK OF THE DISTRICT COURT OR A NOTARY IS PRESENT AND WITNESSES YOU SIGNING)

Subscribed and sworn before me on

8-23, 2021

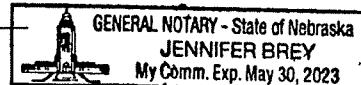

Clerk of the Court/Notary Public

(Seal)

My Commission Expires: 5-30-2023

Page 4 of 4

Petition and Affidavit to Obtain
Harassment Protection Order
DC 1000 Form 21/02



19:1 Rev. 09/2020
b. Rev. Stat. §§ 42-924,
-311.09, and 28-311.11

PROTECTION ORDER PRAECIPE



002221732D01

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

Shavonna Leigh Holman

Petitioner,

Additional Petitioner/Minor Child(ren),

Case No. CI 21-8450

Additional Petitioner/Minor Child(ren),

vs.

Justin Riddle

Respondent.

PROTECTION ORDER PRAECIPE

THE CLERK OF COURT:

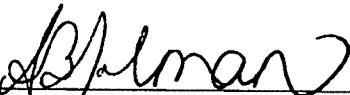
Please have the Sheriff of Douglas County serve a copy of the protection order and/or order to show cause, petition, and request for hearing (if applicable) upon the respondent by personal service at any one of the following addresses:

me: 16422 Patrick Avenue

work: _____

other locations where respondent can be found: _____

actions for service: _____


Shavonna Leigh Holman

Date August 23, 2021

ature
Shavonna Leigh Holman

8269 Girard Street
Street Address/P.O. Box
Omaha, NE 68122

Number and Firm Name (attorneys only)

City/State/ZIP Code

681-4931

sleigheris@gmail.com

ne

Email Address

(If you are concealing your address or phone, do not provide them. Make separate arrangements with the clerk.)

#27 **FILED**
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

AUG 23 2021

in any of the following information if known.

Description of Respondent:

Name: The Riddler

Gender: Male Age: late 40s Height: 5'8 appx Weight: 180 app

Color: _____ Hair Color: dark brown Race: Caucasian Skin Tone: _____

Date of Birth: _____ Scars, Marks, and Tattoos: _____

Other Distinguishing Features: _____

Employer: _____ Work Days and Hours: _____

Description of Respondent's Vehicle:

Driver's Lic. No.: _____ Issuing State: _____ Expiration: _____ Year: _____

Vehicle Lic. No.: _____ Vehicle Year: _____ Issuing State: _____ Type: _____

Model: _____ Color(s): _____ VIN: _____

Is the Respondent:

Try a weapon or keep a weapon nearby? _____ Where and what kind? _____

Have a history of mental illness? _____

Or abuse alcohol or drugs? _____ What kind? _____

Have a history of violence toward others? _____ Make threats against law enforcement? _____

Other Comments:

Image ID D00750241D01 Form 19-4	EX PARTE HARASSMENT PROTECTION ORDER	Case Number CI-21-8450 Document Number 750241
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IN THE DISTRICT COURT OF Douglas COUNTY, NEBRASKAShavonna L Holman
Petitioner**EX PARTE HARASSMENT
PROTECTION ORDER**Shawna Riddle
Respondent

The protected party(ies) of this Order is/are:

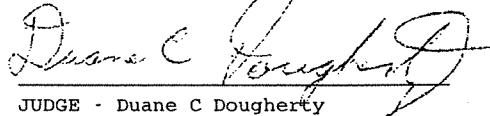
- | | |
|-----------------------------|----------|
| 1. <u>Shavonna L Holman</u> | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

THE COURT, having received the Petition and Affidavit of the petitioner, finds that a harassment protection order pursuant to Neb. Rev. Stat. § 28-311.09 should be issued. FURTHER, it reasonably appears from the specific facts included in the affidavit that irreparable harm, loss or damage will result before this matter can come on notice, therefore, the court having jurisdiction of the parties finds that a harassment protection order should be issued without prior notice and hearing.

IT IS THEREFORE ORDERED, pursuant to Neb. Rev. Stat. § 28-311.09, unless otherwise dismissed or modified by order of the court, a harassment protection order against the respondent is granted for a period of one year from the date of this order and the petitioner is granted the following relief:

- 1. Respondent is enjoined from imposing any restraint upon the person or liberty of the protected party(ies).
- 2. Respondent is enjoined from harassing, threatening, assaulting, molesting, attacking, or otherwise disturbing the peace of the protected party(ies).
- 3. Respondent is enjoined from telephoning, contacting, or otherwise communicating with the protected party(ies).

If the respondent wishes to appear and show cause why this order should not remain in effect for a period of one year, he or she shall affix his or her current address, telephone number, and signature on the Request for Hearing form provided and return it to the clerk of the district court within ten (10) business days after service on him or her. This order shall remain in effect during the time prior to the hearing. Costs are waived unless otherwise ordered by the court.

FILED on: August 24, 2021


JUDGE - Duane C Dougherty

NOTICE TO RESPONDENT

PURSUANT to 18 U.S.C.2265, this order is enforced in all fifty states, the District of Columbia, tribal land and U.S territories. Moreover, pursuant to 18 U.S.C.922 if a final order is entered against you after a hearing at which you had actual knowledge and an opportunity to participate, whether or not you actually participated, if this court order restrains you from harassing, stalking, or threatening an intimate partner or child of an intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, you may be subject to a federal penalty for possessing, transporting, or accepting a firearm or ammunition.

Printed on 8/24/2021 at 11:43 A.M.

FILED BY

<p>Nebraska State Court Form copy is on the reverse side of C 19:4, 19:5, 19:6 and 19:7 C 19:3 Rev. 01/20 b. Rev. Stat. § 28-311.09</p>	<h2>PROTECTION ORDER INFORMATION - HARASSMENT</h2>	
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A harassment protection order is a court order issued to a victim who has been harassed, pursuant to Neb. Rev. Stat. § 28-311.09 et seq.

In order to qualify for a harassment protection order:

- the petition shall state the events and dates of acts constituting the alleged harassment. This must include the most recent and most severe incident(s).
- the petitioner must show that the respondent has engaged in a knowing and willful course of conduct directed at the petitioner which seriously terrifies, threatens, or intimidates the petitioner and which serves no legitimate purpose.
 - A course of conduct is defined as a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including a series of acts of following, detaining, restraining the personal liberty of, or stalking, telephoning, contacting, or otherwise communicating with the petitioner.

A protection order may prohibit the respondent from:

- imposing any restraint upon the petitioner or family or household member, or liberty of the petitioner,
- harassing, threatening, assaulting, molesting, attacking, or otherwise disturbing the peace of the petitioner,
- telephoning, contacting, or otherwise communicating with the petitioner.

Once the protection order petition is granted, it may not be withdrawn except upon order of the court.

The protection order shall be effective for one year unless otherwise modified by the court.

A court, on its own motion or at the request of the petitioner, may treat a petition for a harassment protection order as a request for a sexual assault protection order or domestic abuse protection order, if it appears from the facts in the petition affidavit and evidence presented at a show-cause hearing that such other protection order is more appropriate.

NOTICE TO PETITIONER

Fees to cover costs associated with the filing, issuance, or service of a protection order shall not be charged, except that the court may assess such fees and costs if the court finds that the statements contained in the application were false and that the protection order was sought in bad faith.

NOTICE TO RESPONDENT

If there has been an **Ex Parte** Protection Order served upon you and you wish to request a hearing to show cause why the order should not remain in effect, you must request a hearing on the provided "Request for Hearing" form by completing the form and returning it to the clerk of the district court at the address listed at the bottom of the form. You must return the form within ten (10) business days after you have been served. The court will schedule a hearing within thirty (30) days after reviewing our request and shall notify you and the petitioner of the hearing date.

If there is a hearing scheduled and you wish to defend against the claims set forth in the application for a protection order, you must appear at the hearing. You are warned that if you fail to appear, the case will proceed without you and final order may be entered against you for the relief requested in the petition.

You are required to obey the terms of the protection order as soon as it is served upon you. If you disobey the terms of the protection order, you will be subject to the following **Nebraska Revised Statutes**.

Violation of a Protection Order: Any person convicted of violating the terms of a harassment protection order after being served shall be subject to either Neb. Rev. Stat. § 28-311.04 or § 28-311.09(4).

If a protection order has been issued against you, the following **United States Federal Statutes** apply to the issuance of valid protection order.

Full Faith and Credit Provision: Pursuant to 18 U.S.C. § 2265, this order is enforceable in all fifty (50) states, the District of Columbia, tribal lands and U.S. territories. The penalties for violation of this order are determined by the existing penalty of the location in which the violation occurred. Nebraska's Harassment Full Faith and Credit provisions are found in Neb. Rev. Stat. § 28-311.10.

Interstate Domestic Violence/Violation of a Protection Order:

- If you travel across state or tribal borders with the intent to injure the petitioner and then intentionally commit a crime of violence causing bodily injury to the petitioner, you may be convicted of committing a federal offense under U.S.C. § 2261(a)(1). You may also be convicted of committing a federal offense if you cause the petitioner to cross state or tribal borders for this purpose. 18 U.S.C. § 2262(a)(2).
- If you travel across state or tribal borders with the intent to violate the final protection order and subsequently violate such order, you may be convicted of committing a federal offense under 18 U.S.C. § 2261(a)(1).
- You may also be convicted of committing a federal offense if you cause the plaintiff to cross state or tribal borders for this purpose. 18 U.S.C. § 2262(a)(2).

Image ID: D00750551D01

SERVICE RETURN

Doc No. 750241

Return to: Douglas District Court
Case ID: CI 21 8450
Shavonna L Holman v. Justin Riddle

Received Doc.No. 750241 a Protection Order
on 8/24/2021 at 14:30 PM.

I hereby certify that on 8/25/2021 at 14:05 PM I served Doc. No. 750241 a
Protection Order on Justin Riddle
by Personal Service to Justin Riddle
at 16422 Patrick Ave Omaha
as required by Nebraska state law.

FILED BY

Clerk of the Douglas District Court
08/25/2021

Service and return	\$.00
Mileage	\$.00
Copy	\$.00
Miscellaneous	<u>\$.00</u>
TOTAL	\$.00

Comments

Date: 8/25/2021 Douglas County Sheriff /s/ Pete Giglia

Case ID:D00750609D01

Page:

1

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

HAVONNA L HOLMAN V. JUSTIN RIDDLE

Case ID: CI 21 8450

Recipients:

Havonna L Holman sleigheris@gmail.com

Case ID	Date	Description
D00750241D01	08/24/21	PO-Har/Ex Parte



002227173D01

STATE OF NEBRASKA
FORM NO. DC 19-14
Rev. 06/12. Neb. Rev. Stat.
§ 42-924 - 28-311.09

**REQUEST FOR HEARING --
PROTECTION ORDER**

CASE NUMBER:
CI 21-8450

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

Shavonna Leigh Holman

**REQUEST FOR
HEARING --
PROTECTION ORDER**

Petitioner

VS.

Justin Riddle

Respondent

I wish to request a hearing on this protection order. I understand that notice of the time and place of the hearing shall be mailed to the address below.

I do not speak English. My language is _____

Date: 8.30.21

(Signature)

Mailing Address: 16422 Patrick Ave

City, State, Zip Code: Omaha, NE 68116

Telephone: (Home) 402 813 2156 (Work) 402 813 2156

RETURN TO: PROTECTION ORDER DEPARTMENT
Clerk of the District Court
Hall of Justice, Room #300
Omaha, NE 68183

or Fax to: 402-996-8493

**YOU HAVE 10 BUSINESS DAYS TO RESPOND
FROM THE DATE OF SERVICE**

#30	FILED
IN DISTRICT COURT	
DOUGLAS COUNTY NEBRASKA	
AUG 30 2021	
JOHN M. FRIEND	



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

Shavonna Leigh Holman

CI # 21 - 8450

Petitioner

VS.

Justin Riddle

Respondent

NOTICE OF HEARING

IT IS ORDERED that a hearing on this matter be held on September 16, 2021 at 8:30 a.m., Court Room # 503, 5th floor, Hall of Justice, Omaha, Nebraska, to provide the respondent an opportunity to appear and show cause why the requested protection order should not be issued, modified, or remain in effect. Any protection order previously issued shall remain in effect until the date that the hearing is actually held.

IT IS FURTHER ORDERED that a copy of this notice shall be mailed to both the petitioner and the respondent at their respective addresses.

NOTICE TO PETITIONER: You must appear at the place, date and time shown to show cause why your protection order should be issued, modified, or remains in effect.

Dated: August 30, 2021

/s/ **Teri Knight**

Deputy, CLERK OF THE DISTRICT COURT

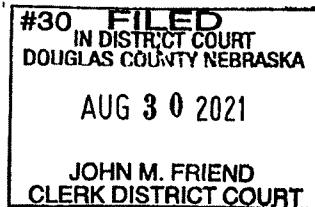
CERTIFICATE OF SERVICE

I, the undersigned, certify that I served by mailing (by United States mail), postage prepaid, a copy of the forgoing notice of hearing upon the petitioner and the respondent at their respective addresses shown in the request for hearing and petition.

Dated : August 30, 2021

/s/ **Teri Knight**

SIGNATURE



*** EFILED ***

Case Number: D01CI210008450

Transaction ID: 0014278398

Filing Date: 09/15/2021 04:15:36 PM

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

SHAVONNA LEIGH HOLMAN,

Petitioner,

CASE NO. CI 21-8450

v.

ENTRY OF APPEARANCE

JUSTIN RIDDLE,

RESPONDENT,

COME NOW Cameron C. Finke and Jill Robb Ackerman of Baird Holm LLP and hereby enter their appearance as attorneys of record for Petitioner, Sharvonna Leigh Holman, in the above-captioned action.

Petitioner hereby requests that service of all filings, notices, discovery, and all other papers to which it is entitled be served upon the individuals at the address set forth below and that the following be added to the Court's docket:

Cameron C. Finke
Jill Robb Ackerman
Baird Holm LLP
1700 Farnam Street
Suite 1500
Omaha, NE 68102-2068
cfinke@bairdholm.com
jrackerman@bairdholm.com

Dated this 15th day of September, 2021

SHAVONNA LEIGH HOLMAN, Petitioner,

By: /s/Cameron C. Finke
Cameron C. Finke (NE# 26327)
Jill Robb Ackerman (NE# 17623)
of BAIRD HOLM LLP
1700 Farnam Street, Suite 1500
Omaha, NE 68102-2068
Phone: 402-344-0500
Email: cfinke@bairdholm.com
jrackerman@bairdholm.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of September, 2021, the above and foregoing Entry of Appearance was filed with the Clerk of the Court using the JUSTICE on-line filing system (www.nebraska.gov/courts/efile/) and a true and correct copy of the above and foregoing was served via U.S. Mail postage prepaid to Respondent as follows:

Justin Riddle
16422 Patrick Ave
Omaha, NE 68116

/s/Cameron C. Finke

Certificate of Service

I hereby certify that on Wednesday, September 15, 2021 I provided a true and correct copy of the Appearance of Counsel to the following:

Holman,Shavonna,Leigh represented by Pro Se Party (Bar Number: 2) service method: No Service

Riddle,Justin, service method: First Class Mail

Signature: /s/ Cameron Crawford Finke (Bar Number: 26327)

REQUIRED

a 19:5 Revised 01/20
 b. Rev. Stat. § 28-311.09
 cument # 754922

HARASSMENT PROTECTION ORDER



002232819D01

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

Shavonna Leigh Holman

Case No. CI21-8450

Petitioner,

Additional Petitioner/Minor Child(ren),

Additional Petitioner/Minor Child(ren),

Kristin Riddle

Respondent.

HARASSMENT PROTECTION ORDER (After Hearing, Ex Parte Order Issued)

The protected party(ies) of this Order is/are:

1. Shavonna Leigh Holman
2. _____
3. _____

4. _____
5. _____
6. _____

THIS MATTER came on before the court, pursuant to Neb. Rev. Stat. § 28-311.09, upon the petition and Request for Hearing. The petitioner (was/were) (was/were not) present in court (with counsel, Jill Robb Ackerman). The respondent (did) (did not) appear (with counsel,). Evidence was adduced, and the court, being fully advised, finds that this court has jurisdiction of the parties and subject matter of this action.

IT IS THEREFORE ORDERED, pursuant to Neb. Rev. Stat. § 28-311.09, unless otherwise dismissed or modified by the court, the harassment protection order issued on August 24, 2021 copy attached, shall remain in effect for a period of one year from the date of the original order.

IT IS FURTHER ORDERED that all costs of filing and service in this case are (taxed to the respondent) or (waived).

ATTED: September 16, 2021

JUDGE



NOTICE TO RESPONDENT

ACCORDING TO 18 U.S.C.2265, this order is enforced in all fifty states, the District of Columbia, tribal lands and U.S. territories. Moreover, pursuant to 18 U.S.C.922 if a final order is entered against you after hearing of which you had actual knowledge and an opportunity to participate, whether or not you actually participated and if this court order restrains you from harassing, stalking, or threatening an intimate partner or child of such intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, you may be subject to a felony for possessing, transporting, or accepting a firearm or ammunition.

#12 FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

A harassment protection order is a court order issued to a victim who has been harassed, pursuant to Neb. Rev. Stat. § 28-311.09 et seq.

In order to qualify for a harassment protection order:

- the petition shall state the events and dates of acts constituting the alleged harassment. This must include the most recent and most severe incident(s).
- the petitioner must show that the respondent has engaged in a knowing and willful course of conduct directed at the petitioner which seriously terrifies, threatens, or intimidates the petitioner and which serves no legitimate purpose.
 - A course of conduct is defined as a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including a series of acts of following, detaining, restraining the personal liberty of, or stalking, telephoning, contacting, or otherwise communicating with the petitioner.

A protection order may prohibit the respondent from:

- imposing any restraint upon the petitioner or family or household member, or liberty of the petitioner,
- harassing, threatening, assaulting, molesting, attacking, or otherwise disturbing the peace of the petitioner,
- telephoning, contacting, or otherwise communicating with the petitioner.

Once the protection order petition is granted, it may not be withdrawn except upon order of the court.

The protection order shall be effective for one year unless otherwise modified by the court.

A court, on its own motion or at the request of the petitioner, may treat a petition for a harassment protection order as a request for a sexual assault protection order or domestic abuse protection order, if it appears from the facts in the petition affidavit and evidence presented at a show-cause hearing that such other protection order is more appropriate.

NOTICE TO PETITIONER

Fees to cover costs associated with the filing, issuance, or service of a protection order shall not be charged, except that a court may assess such fees and costs if the court finds that the statements contained in the application were false and that the protection order was sought in bad faith.

NOTICE TO RESPONDENT

If there has been an **Ex Parte** Protection Order served upon you and you wish to request a hearing to show cause why the order should not remain in effect, you must request a hearing on the provided "Request for Hearing" form by completing the form and returning it to the clerk of the district court at the address listed at the bottom of the form. You must return the form within ten (10) business days after you have been served. The court will schedule a hearing within thirty (30) days after reviewing our request and shall notify you and the petitioner of the hearing date.

If there is a hearing scheduled and you wish to defend against the claims set forth in the application for a protection order, you must appear at the hearing. You are warned that if you fail to appear, the case will proceed without you and a final order may be entered against you for the relief requested in the petition.

You are required to obey the terms of the protection order as soon as it is served upon you. If you disobey the terms of the protection order, you will be subject to the following **Nebraska Revised Statutes**.

Violation of a Protection Order: Any person convicted of violating the terms of a harassment protection order after being served shall be subject to either Neb. Rev. Stat. § 28-311.04 or § 28-311.09(4).

If a protection order has been issued against you, the following **United States Federal Statutes** apply to the issuance of a valid protection order.

Full Faith and Credit Provision: Pursuant to 18 U.S.C. § 2265, this order is enforceable in all fifty (50) states, the District of Columbia, tribal lands and U.S. territories. The penalties for violation of this order are determined by the existing penalty of the location in which the violation occurred. Nebraska's Harassment Full Faith and Credit provisions are found in Neb. Rev. Stat. § 28-311.10.

Interstate Domestic Violence/Violation of a Protection Order:

- If you travel across state or tribal borders with the intent to injure the petitioner and then intentionally commit a crime of violence causing bodily injury to the petitioner, you may be convicted of committing a federal offense under 18 U.S.C. § 2261(a)(1). You may also be convicted of committing a federal offense if you cause the petitioner to cross state or tribal borders for this purpose. 18 U.S.C. § 2262(a)(2).
- If you travel across state or tribal borders with the intent to violate the final protection order and subsequently violate such order, you may be convicted of committing a federal offense under 18 U.S.C. § 2261(a)(1).
- You may also be convicted of committing a federal offense if you cause the plaintiff to cross state or tribal borders for this purpose. 18 U.S.C. § 2262(a)(2).

REQUIRED
19:5 Revised 01/20
Rev. Stat. § 28-311.09
Document # _____

HARASSMENT PROTECTION ORDER



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

avonna Leigh Holman

Petitioner,

Case No. CI21-8450

Additional Petitioner/Minor Child(ren),

Additional Petitioner/Minor Child(ren),

HARASSMENT PROTECTION ORDER (After Hearing, Ex Parte Order Issued)

stin Riddle

Respondent.

The protected party(ies) of this Order is/are:

1. Shavonna Leigh Holman
2. _____
3. _____

4. _____
5. _____
6. _____

THIS MATTER came on before the court, pursuant to Neb. Rev. Stat. § 28-311.09, upon the petitioned Request for Hearing. The petitioner (was/were) (was/were not) present in court (with counsel, Jill Robb Ackerman). The respondent (did) (did not) appear (with counsel,). Evidence was adduced, and the court, being fully advised, finds that this court has jurisdiction of the parties and subject matter s action.

IT IS THEREFORE ORDERED, pursuant to Neb. Rev. Stat. § 28-311.09, unless otherwise dismissed or modified by the court, the harassment protection order issued on August 24, 2021 copy attached, shall remain in effect for a period of one year from the date of the original order.

IT IS FURTHER ORDERED that all costs of filing and service in this case are (taxed to the respondent) or (waived).

SIGNED: September 16, 2021

JUDGE

NOTICE TO RESPONDENT

PURSUANT to 18 U.S.C.2265, this order is enforced in all fifty states, the District of Columbia, tribal lands and U.S. territories. Moreover, pursuant to 18 U.S.C.922 if a final order is entered against you after hearing of which you had actual knowledge and an opportunity to participate, whether or not you actually participated and if this court order restrains you from harassing, stalking, or threatening an intimate partner or child of such intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, you may be subject to a federal penalty for possessing, transporting, or accepting a firearm or ammunition.

#12 FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
SEP 16 2021

harassment protection order is a court order issued to a victim who has been harassed, pursuant to Neb. Rev. Stat. 28-311.09 et seq.

In order to qualify for a harassment protection order:

- the petition shall state the events and dates of acts constituting the alleged harassment. This must include the most recent and most severe incident(s).
- the petitioner must show that the respondent has engaged in a knowing and willful course of conduct directed at the petitioner which seriously terrifies, threatens, or intimidates the petitioner and which serves no legitimate purpose.
 - A course of conduct is defined as a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including a series of acts of following, detaining, restraining the personal liberty of, or stalking, telephoning, contacting, or otherwise communicating with the petitioner.

A protection order may prohibit the respondent from:

- imposing any restraint upon the petitioner or family or household member, or liberty of the petitioner,
- harassing, threatening, assaulting, molesting, attacking, or otherwise disturbing the peace of the petitioner,
- telephoning, contacting, or otherwise communicating with the petitioner.

Once the protection order petition is granted, it may not be withdrawn except upon order of the court.

The protection order shall be effective for one year unless otherwise modified by the court.

The court, on its own motion or at the request of the petitioner, may treat a petition for a harassment protection order as a request for a sexual assault protection order or domestic abuse protection order, if it appears from the facts in the petition, affidavit and evidence presented at a show-cause hearing that such other protection order is more appropriate.

NOTICE TO PETITIONER

Fees to cover costs associated with the filing, issuance, or service of a protection order shall not be charged, except that a court may assess such fees and costs if the court finds that the statements contained in the application were false and that the protection order was sought in bad faith.

NOTICE TO RESPONDENT

If there has been an **Ex Parte** Protection Order served upon you and you wish to request a hearing to show cause why the order should not remain in effect, you must request a hearing on the provided "Request for Hearing" form by completing the form and returning it to the clerk of the district court at the address listed at the bottom of the form. You must return the form within ten (10) business days after you have been served. The court will schedule a hearing within thirty (30) days after reviewing our request and shall notify you and the petitioner of the hearing date.

If there is a hearing scheduled and you wish to defend against the claims set forth in the application for a protection order, you must appear at the hearing. You are warned that if you fail to appear, the case will proceed without you and a final order may be entered against you for the relief requested in the petition.

You are required to obey the terms of the protection order as soon as it is served upon you. If you disobey the terms of the protection order, you will be subject to the following **Nebraska Revised Statutes**.

Violation of a Protection Order: Any person convicted of violating the terms of a harassment protection order after being served shall be subject to either Neb. Rev. Stat. § 28-311.04 or § 28-311.09(4).

If a protection order has been issued against you, the following **United States Federal Statutes** apply to the issuance of a valid protection order.

Full Faith and Credit Provision: Pursuant to 18 U.S.C. § 2265, this order is enforceable in all fifty (50) states, the District of Columbia, tribal lands and U.S. territories. The penalties for violation of this order are determined by the existing penalty of the location in which the violation occurred. Nebraska's Harassment Full Faith and Credit provisions are found in Neb. Rev. Stat. § 28-311.10.

Interstate Domestic Violence/Violation of a Protection Order:

- If you travel across state or tribal borders with the intent to injure the petitioner and then intentionally commit a crime of violence causing bodily injury to the petitioner, you may be convicted of committing a federal offense under 18 U.S.C. § 2261(a)(1). You may also be convicted of committing a federal offense if you cause the petitioner to cross state or tribal borders for this purpose. 18 U.S.C. § 2262(a)(2).
- If you travel across state or tribal borders with the intent to violate the final protection order and subsequently violate such order, you may be convicted of committing a federal offense under 18 U.S.C. § 2261(a)(1).
- You may also be convicted of committing a federal offense if you cause the plaintiff to cross state or tribal borders for this purpose. 18 U.S.C. § 2262(a)(2).

CERTIFICATE OF SERVICE

On this 16 day of Sept, 2024, I hereby certify that the above and foregoing is a true copy of the notice of hearing and is filed with the records and files of this Court and in my charge.

1 IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA
2 SHAVONNA L. HOLMAN,) CASE NO. CI21-8450
3 PETITIONER,)
4 VS.) TRANSCRIPT OF
5 JUSTIN RIDDLE,) PROCEEDINGS
6 RESPONDENT,)
- - - - -)

9 DOUGHERTY, Omaha, Nebraska, on September 16, 2021.

10 | APPARENCES

11 FOR THE PETITIONER:
12 MS. JILL R. ACKERMAN
13 MS. CAMERON C. FINKE
14 BAIRD HOLM, LLP
15 1500 Woodmen Tower
16 1700 Farnam Street
17 Omaha, Nebraska 68102

15 FOR THE RESPONDENT:
16 MR. JUSTIN RIDDLE,
17 SELF-REPRESENTED LITIGANT
16422 Patrick Avenue
Omaha, Nebraska 68116

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25

C E R T I F I C A T E

2 I, Victoria L. Retzlaff, Official Court
3 Reporter in the District Court of Nebraska for the
4 Fourth Judicial District, do hereby certify that the
5 within and following full transcript of proceedings
6 contains all the evidence requested to be
7 transcribed by me, and the rulings of the Court
8 thereon, from the proceedings had in or at the trial
9 of the foregoing cause in said court; and that said
10 full transcript of proceedings is a correct and
11 complete transcription of the evidence requested to
12 be transcribed from the record made at the time of
13 said proceedings or trial.

14 Dated this 29th day of September, 2021.

Victoria L. Retzlaff, RPR
Official Court Reporter

1 (At 8:49 a.m., on September 16, 2021,
2 before the Honorable DUANE C. DOUGHERTY, with
3 Ms. Jill R. Ackerman and Ms. Cameron C. Finke,
4 Attorneys at Law, present with and on behalf of the
5 Petitioner; and with Justin Riddle, Self-Represented
6 Litigant, present on behalf of the Respondent, the
7 following proceedings were had, to-wit:)

10 Counsel, do you want to enter your appearance.

MS. ACKERMAN: Yes, on behalf of the Petitioner, Jill Robb Ackerman and Cameron Finke on behalf of Shavonna Holman.

14 THE COURT: All right. And, Mr. Riddle,
15 you're here; is that correct?

16 MR. RIDDLE: I am, sir.

17 THE COURT: All right. And you're here
18 without an attorney, correct?

19 MR. RIDDLE: That's correct.

20 THE COURT: All right. Do you plan on
21 going forward today, then, without a lawyer?

22 MR. RIDDLE: I do, sir.

23 THE COURT: Okay. Well, the way we do
24 this is I'm going to look at the Petitioner, and I'm
25 going to swear her in. I'm going to let her testify as

1 to the issues that are on this petition, only these
2 issues. She can't testify about anything else because
3 that would be a violation of your due process that you
4 didn't get notice of it, so -- and then after she's done
5 testifying and telling us what she wants to tell us,
6 I'll let you ask her any questions you would like to ask
7 her. And then when you're done with that and when
8 they're done with all their witnesses, then I'll come to
9 your side and let you tell me as to each one of these
10 issues too. I'll swear you in and you'll tell me.

11 Okay?

12 MR. RIDDLE: Thank you, sir.

13 THE COURT: All right. Counsel, who do
14 you want to testify?

15 MS. ACKERMAN: Dr. Holman to the stand,
16 please.

17 SHAVONNA HOLMAN,

18 having been first duly sworn,

19 was examined and testified as follows:

20 DIRECT EXAMINATION

21 THE COURT: All right. Would you tell me
22 your name.

23 THE WITNESS: Shavonna Holman.

24 THE COURT: Okay. Thank you. Counsel,
25 go ahead.

1 MS. ACKERMAN: Thank you.

2 BY MS. ACKERMAN:

3 Q. Dr. Holman, you -- could you please tell us,
4 what is your job? What do you do?

5 A. I am a professor at the University of Nebraska
6 in Lincoln.

7 Q. And do you serve on any boards?

8 A. Yes, I do.

9 Q. And what board do you serve on?

10 A. I serve on several boards. Do you want me to
11 name them?

12 Q. Let's talk about the one that's at issue here.

13 A. Omaha Public Schools Board of Education.

14 Q. And how long have you been on the board?

15 A. I've been on the board -- this is my fourth
16 year.

17 Q. And what's your current position on the board?

18 A. I serve as the president of the board.

19 Q. And, Dr. Holman, you're the Petitioner who
20 brought a petition for harassment order -- petition to
21 obtain a harassment protection order against Mr. Riddle;
22 is that correct?

23 A. Yes.

24 MS. ACKERMAN: May I approach the bench?

25 THE COURT: Certainly.

1 MS. ACKERMAN: We have marked as
2 Exhibit 1, a copy of the petition and order. This is
3 the petition for the order, Your Honor.

4 THE COURT: Thank you. Are you offering
5 Exhibit 1?

6 MS. ACKERMAN: Yes, I'm going to offer
7 Exhibit 1, please.

8 THE COURT: Any objection to Exhibit 1
9 being received, sir, as evidence?

10 MR. RIDDLE: No, sir.

11 THE COURT: Exhibit 1 will be received.

12 BY MS. ACKERMAN:

13 Q. Dr. Holman, if we turn to the second page of
14 your petition, you identify at the bottom four events
15 that led to you filing your petition for order -- for
16 Mr. Riddle to not harass you; is that correct?

17 A. Yes.

18 Q. And in the first event you describe -- can you
19 tell the Court what happened in the first event that
20 you're describing?

21 A. Would you like for me to read directly from my
22 statement or just speak?

23 Q. Just tell us what happened, if you would.

24 A. So we were having a board meeting, and
25 Mr. Riddle was at the podium. I asked him to state

1 his -- state and spell his name as well as his address.
2 He refused to state his address and said that he was not
3 going to. And I mentioned to him that it was state
4 statute that the address had to be shared for the public
5 meeting, and he refused. And so I asked the audio
6 technician to cut the microphone and asked him to sit.
7 And he refused to sit. And I asked for a five-minute
8 recess during the meeting because the meeting started to
9 get a little bit out of control with him not following
10 the expectation. And during that time, he left the
11 podium and approached the dais.

12 Q. And what was he doing as he approached the
13 dais?

14 A. He was talking during that time. I'm not even
15 quite certain what he was saying, but he was coming
16 towards the dais and again was asked to go back to his
17 seat. And then I asked for security to come up and
18 assist.

19 Q. Okay. And then what did security do?

20 A. Security and also the police officer came up
21 to assist Mr. Riddle in leaving the meeting.

22 Q. Okay.

23 MS. ACKERMAN: Your Honor, I'd like to
24 approach the bench again.

25 THE COURT: Certainly.

1 MS. ACKERMAN: We have a copy of the
2 video clip that she's referencing from the board
3 meeting.

4 And, Mr. Riddle, here is a copy.

5 MR. RIDDLE: Thank you.

6 MS. ACKERMAN: And this we would -- I'd
7 like to offer this in evidence. And we do have it ready
8 to play, Your Honor. It's about a two-minute clip.

9 THE COURT: All right. Any objection to
10 Exhibit No. 3 being received, sir?

11 MR. RIDDLE: No objection.

12 THE COURT: Exhibit 3 will be received,
13 and you may publish it.

14 (Whereupon, Exhibit 3 is played in
15 open court.)

16 BY MS. ACKERMAN:

17 Q. Dr. Holman, is this what occurred that you're
18 referencing in your first...

19 A. Yes.

20 Q. Have you ever had to cut a mic on an
21 individual in one of the board meetings?

22 A. Yes.

23 Q. And when did you do that?

24 A. When individuals go beyond their time limit,
25 and then I ask for the audio technician to cut the

1 microphone.

2 Q. Okay. Have you ever had to cut someone off
3 because they refused to cooperate and follow the rules
4 such as this?

5 A. No.

6 Q. Have you ever had anybody come around -- in
7 the four years that you've been on the board, have you
8 ever had anyone come around the bench towards you? And
9 I believe it's Dr. Logan sitting there with you; is that
10 correct?

11 A. I've never had that happen before.

12 Q. And he was waving his hands at you at that
13 time and pointing; is that correct?

14 A. Yes.

15 Q. How did you feel as a result of this?

16 A. To be honest with you, it really frightened
17 me, because I've never had anybody to leave the podium
18 and approach the dais before not knowing what was going
19 to happen.

20 Q. Were you frightened?

21 A. Yes, I was.

22 Q. There was this person who came around, and
23 they knew -- correct -- you gave him what the statute
24 was; is that correct --

25 A. That is correct.

1 Q. -- that required him to give his address?

2 A. Yes.

3 Q. If you go to the next page of your affidavit,
4 the -- and I would like to note something. I believe
5 that you watched this video. This video actually -- I
6 believe in your affidavit you noted is the August 9th
7 video, but it was actually the earlier date that's on
8 the CD; is that correct?

9 A. That is correct.

10 Q. But that is the event that you were
11 referencing?

12 A. Yes, ma'am.

13 Q. Okay. I'd like to have you look at your next
14 entry, which is coming from August...

15 (Discussion had off the record.)

16 MS. ACKERMAN: May I approach the --

17 THE COURT: Certainly.

18 MS. ACKERMAN: -- approach the bench?

19 (Discussion had off the record.)

20 MS. ACKERMAN: This is the August 17th
21 email that's referenced. It's been marked as Exhibit 6.
22 And I'd like to offer this into evidence.

23 THE COURT: Any objection to
24 Exhibit 6, sir?

25 MR. RIDDLE: No objection, Your Honor.

1 Thank you.

2 THE COURT: Exhibit 6 will be received.

3 MS. ACKERMAN: Actually, I want to go
4 back. I'll offer that one, but this I'd like to -- this
5 has been marked as Exhibit 5. And this is an
6 August 14th email.

7 THE COURT: Okay. Do you want her to
8 have the original?

9 MS. ACKERMAN: Yes. That'd be fine.

10 THE COURT: You should have the original,
11 ma'am, if you're going to testify about it.

12 THE WITNESS: Okay.

13 THE COURT: Any objection to Exhibit 5?
14 And then there's 6, when she gets to it.

15 MS. ACKERMAN: And, Ms. Holman, on this
16 -- Dr. Holman, if you would review this.

17 THE COURT: One second.

18 Any objection to Exhibit 5?

19 MR. RIDDLE: I don't -- I don't see this
20 in here. Is that correct? Is that correct? I
21 apologize.

22 MS. ACKERMAN: That is not. That is
23 not --

24 MR. RIDDLE: Oh, okay. Yeah, so I
25 object. I mean, if it's unrelated.

1 THE COURT: Exhibit 5 will be received.

2 (Discussion had off the record.)

3 BY MS. ACKERMAN:

4 Q. Okay. If you look at Exhibit -- this, please.

5 MS. FINKE: Six.

6 BY MS. ACKERMAN

7 Q. Six. Exhibit 6, this is the August 17th
8 email?

9 A. Yes.

10 Q. If you would review that. Attached to that
11 below is an August 11th email, if you look on the second
12 page.

13 A. Yes.

14 Q. And what -- is that from Mr. Riddle?

15 A. It is from Mr. Riddle.

16 Q. And as you reviewed that, did you have any
17 issues with the August 11th email?

18 A. No.

19 Q. Let's go, though, to the email then which
20 is -- and that was simply Mr. Riddle requesting
21 questions to be answered by the board; is that correct?

22 A. Yes.

23 Q. Okay. If you go to August -- the beginning
24 email of this, the first page, which is the August 17th
25 email, if you look at that one, would you please review

1 it. Were there certain parts of this that you felt that
2 you were being threatened or he was trying to intimidate
3 you?

4 A. "Let's see who wants to saved themselves and
5 who wants to fight the city. You ain't seen nothing
6 yet. It's been 3 weeks."

7 THE COURT: Doctor, where are you reading
8 that from?

9 THE WITNESS: Page 2.

10 THE COURT: Of Exhibit 6?

11 THE WITNESS: Of Exhibit 6, yes.

12 THE COURT: Give me a moment.

13 THE WITNESS: I'm starting right up here.

14 THE COURT: Okay. Thank you.

15 THE WITNESS: You're welcome.

16 THE COURT: I apologize. I didn't see
17 it. Thank you very much.

18 THE WITNESS: You're welcome.

19 BY MS. ACKERMAN:

20 Q. Were there other parts of this that you
21 considered it was -- he was trying to intimidate you or
22 frighten you?

23 A. Yes.

24 Q. And what parts would that be?

25 A. "Otherwise, consider yourself 100% gone from

1 a future political career, of any type, including you
2 Cheryl."

3 The next sentence would be, "You have 36
4 hours." And then the final sentence of this email, "If
5 not, look forward to phase 2."

6 Q. Okay. What about, "Individually, you're both
7 100 percent safe from exposure off the list." Did that
8 cause you concern?

9 A. I'm sorry?

10 Q. The one above that, individually, you both are
11 100 percent safe?

12 A. Both, yes. Yes.

13 Q. Is he referring to someone else in this, not
14 to you; is that correct?

15 A. Yes.

16 Q. Now, how did this make you feel when you saw
17 this?

18 A. To be honest with you, I was a little bit
19 paralyzed because I wasn't certain what was going on or
20 why we were even receiving these emails. I felt like he
21 was threatening through the emails and just very
22 frightful, especially after the previous incident.

23 Q. Had he -- after the previous incident, had
24 you -- I believe in the affidavit you noticed that he
25 was trolling you --

1 A. That is correct.

2 Q. -- on social media?

3 A. Yes.

4 Q. Can you tell me what was happening on that?

5 A. After the board meeting, that evening on
6 Twitter I noticed that he was responding -- an
7 individual noted, was thanking us about masking. And
8 Mr. Riddle made a comment about me. And I can't recall
9 how many comments there were. But then also placed the
10 board meeting video on the Twitter. And at that point,
11 I just blocked him because I didn't want to read
12 anything that he had to say or have anything to do with
13 him.

14 And then the next day -- since I blocked him,
15 the next day the chair of my department at the
16 university texted me and said, hey, there's some weird
17 posting attached to you through the university, and do
18 you know anything about it. And so I just assumed who
19 it was, and -- but because I had already blocked him, I
20 was not able to see until the chair of my department
21 told me who it was.

22 Q. And what was -- how was that person
23 identifying themselves who was posting these tweets?

24 A. The Riddler.

25 Q. And you attribute those to Mr. Riddle; is that

1 correct?

2 A. That is correct.

3 Q. The next email you reference is the
4 August 21st email.

5 MS. ACKERMAN: May I approach the bench?

6 THE COURT: Certainly.

7 MS. ACKERMAN: I'd like to offer
8 Exhibit 7. It's the August 21st email.

9 THE COURT: Any objection to Exhibit 7,
10 sir?

11 MR. RIDDLE: No, Your Honor.

12 THE COURT: Exhibit 7 will be received.
13 BY MS. ACKERMAN:

14 Q. So this is a continuing email that you
15 received from Mr. Riddle. Can you go through this.
16 Were there parts of this that scared you or frightened
17 you?

18 A. Yes.

19 Q. And could you go through those parts, please,
20 for the Court.

21 A. Yes, I will.

22 "Thank you to the four of you who responded.
23 You are officially safe. The rest of you, you will
24 share the same fate that Cheryl and Barry will.
25 Termination and Leprosy."

1 Q. Now, let's stop here a second. What did you
2 believe that potentially was being threatened there?

3 A. Well, when I read the statement of termination
4 and leprosy, all I could think about was him -- what he
5 would do with regards to me. Whether that be him wiping
6 me out professionally, social leprosy, ruining my
7 representation that might interfere with the work that I
8 do at the university.

9 I take my career extremely -- it's extremely
10 important to me, and I've worked very intensely and very
11 hard to get to this point. And the work that I do means
12 the world to me. And so I just didn't know what he
13 meant, but I did take that as a threat of him
14 terminating me in some sort of way and ruining my
15 representation.

16 Q. Okay. Were there other parts of this that
17 disturbed you and scared you?

18 A. Yes.

19 "The things they dug up on you hold outs, I
20 could have never spent time to find. Absolutely insane.
21 We have the police you trust, the numbers you wish you
22 had, and the truth, all on our side, (not to mention
23 your favorite reporter)."

24 Q. And what was it that scared you in those
25 statements?

1 A. Well, to me, stating that you have all these
2 people on your side including the police is telling me
3 that I wouldn't have a chance with the police if I
4 needed to contact them. I figured that he was using
5 that as an intimidation statement and threatening in
6 saying that, you won't have the help that you need in
7 order to support you.

8 Q. And was there additional information in this
9 that scared you?

10 A. Let me look, please.

11 Yes.

12 Q. And what is that?

13 A. "At this point, I'm expendable, but will be a
14 martyr. You, on the other hand, are done."

15 Q. What was it that scared you about that?

16 A. Being expendable means that you don't mind
17 what's going to happen, you're going to do everything
18 that you can in your power to make sure that I will
19 suffer. In some sort of way, I will suffer. We all
20 know what being a martyr means. So that means that
21 you're going to do whatever you feel that you need to do
22 to make this happen.

23 Q. And was there additional information there
24 that scared you?

25 A. Let me read, please.

1 The final sentence, "It's already over."

2 Q. Okay. And what did that mean to you, and how
3 did that scare you?

4 A. That his plan, whatever that is in Phase 2
5 that he spoke about in the previous email, that it was
6 already in motion. And whatever this plan is, it's
7 going to happen, it's going to come to fruition.

8 Q. And did you also notice there, I have been
9 contacted by hundreds of people --

10 A. Yes.

11 Q. -- and also "Now that I have the media
12 coverage, the only thing I need is to wait"?

13 A. To wait.

14 Q. Again, that was trying to intimidate you or
15 frighten you?

16 A. Yes.

17 Q. Did this have anything to do with that first
18 email that we talked about where he just had a list of
19 questions to the board?

20 A. I can't answer that because --

21 Q. He wasn't talking about issues here --

22 A. No.

23 Q. -- was he?

24 These were all threats and attempts to
25 intimidate you?

1 A. Correct.

2 Q. To do something that he wanted?

3 A. Correct.

4 Q. Dr. Holman, after you received this, what
5 steps did you take?

6 A. So after I received this, I -- the very next
7 day, I went -- came to the courthouse and filed an order
8 of protection. I first went through the steps at home
9 and downloaded the information and completed the
10 paperwork and then came to the courthouse and filed for
11 the protection order.

12 MS. ACKERMAN: May I approach the bench?

13 THE COURT: Certainly.

14 MS. ACKERMAN: This is what we have
15 marked Exhibit 2. This is a copy of the ex parte
16 harassment order that was entered by the Court, and I'd
17 like to offer that.

18 BY MS. ACKERMAN

19 Q. And this is a copy of the protection order,
20 correct?

21 A. This is.

22 Q. That was entered.

23 And since that time, have you received any
24 emails from Mr. Riddle?

25 A. I have not.

1 Q. Has he still been able to participate in the
2 board meetings?

3 A. Yes, he has.

4 Q. Has he -- how have you accommodated -- how has
5 the board accommodated him?

6 A. And so what would happen now is that, in order
7 for Mr. Riddle to still be able to speak during public
8 comment, I just step out during the time so that he has
9 his opportunity to speak like the rest of the public.

10 Q. So the protection order has provided you peace
11 of mind; is that correct?

12 A. Yes, it has.

13 Q. Have you been fearful at home as what might --
14 as to what might happen?

15 A. Yes, ma'am.

16 Q. And do you have children at home?

17 A. I do.

18 Q. And do you work at home?

19 A. I do.

20 Q. And were you scared and frightened because you
21 didn't know whether someone would follow you home and do
22 something to you; is that correct?

23 A. Yes.

24 MS. ACKERMAN: Okay. Your Honor, I have
25 no further questions at this time.

1 THE COURT: All right. Sir, do you have
2 any questions of this witness?

3 MR. RIDDLE: I do.

4 THE COURT: Go ahead.

5 CROSS-EXAMINATION

6 BY MR. RIDDLE:

7 Q. So I'll try to tie this together quite easily.
8 Before I spoke, how many people did not give their
9 address that first night before I spoke, proceeding me
10 immediately?

11 A. I can't remember off the top of my head, but
12 we can refer to --

13 Q. There were two.

14 A. -- the paperwork.

15 Q. Two.

16 THE COURT: You've got to let her answer,
17 sir. We can't talk over each other.

18 MR. RIDDLE: Oh, my apologies. Yep.

19 THE COURT: Go ahead.

20 MR. RIDDLE: Can I volunteer that there
21 were two at this point?

22 THE COURT: No. You'll get to testify
23 when it's your turn.

24 MR. RIDDLE: Okay. Fine.

25 THE COURT: So just ask --

1 MR. RIDDLE: Okay.

2 THE COURT: -- direct questions and let
3 her answer.

4 MR. RIDDLE: Thank you, sir.

5 BY MR. RIDDLE:

6 Q. Prior to the meeting, did you properly
7 announce the rules regarding the address aspect of the
8 law?

9 A. Yes, I did.

10 Q. Prior to the meeting?

11 A. Prior to public comment, yes, I did.

12 Q. Specifically? Correctly as you've stated at
13 each time since?

14 A. I gave the rules of the meeting, yes, I did.

15 Q. Okay. And you said that you had shut off
16 microphones in the past for people who went over their
17 time or unruly. Why did you shut off my mother's
18 microphone, who was a teacher there for 36 years, right
19 before me? She wasn't unruly.

20 A. Because she was showing a video and audio of
21 an individual. And during the -- before public comment,
22 during the script that I read to you all, it says
23 there's -- no identifiable information can be shared
24 during public comment. And the information was not
25 coming from her exactly, it was coming from the audio.

1 Q. So you're stating that someone's name was
2 stated on that audio?

3 A. I'm not saying that.

4 MS. ACKERMAN: Your Honor, I'm going to
5 object on relevance.

6 THE COURT: Overruled. We'll let him go
7 a little further.

8 BY MR. RIDDLE:

9 Q. So, you're -- I guess I'm just a little
10 confused. If no one -- if there's no rule that states
11 that she can't play an audio recording, which is what it
12 was, is audio, and no one's name was stated on there,
13 why was she not allowed to speak and answer -- and play
14 her media and then ask her question at the end?

15 A. Because the person who was on the audio is an
16 employee of the Omaha Public Schools, which we all knew
17 who it was.

18 Q. So you knew who it was by audible voice, but
19 nobody in the public knew because we had not stated
20 that, but that was enough to not allow her to speak?

21 A. Yes, I did know who it was, as well as other
22 board members knew who she -- who the voice was, and it
23 was identifiable information.

24 Q. Identifiable to the public how?

25 A. Because the person works for the Omaha Public

1 Schools. There are persons in the audience who also
2 work for the Omaha Public Schools and people who know
3 the individual. His voice was identifiable.

4 Q. Okay. I would actually like to --

5 MR. RIDDLE: Can I -- thank you, sir.

6 May I approach?

7 THE COURT: Certainly.

8 BY MR. RIDDLE:

9 Q. Now, as an elected official, there's been
10 several rulings regarding your public account and being
11 unable to block your citizens on your public account.
12 Have I attempted to contact you on any personal
13 accounts?

14 A. Yes, my Twitter.

15 Q. I won't explain the law on this, because I'm
16 not an attorney or a judge, but when you become a public
17 official and you utilize your Twitter for public -- for
18 the school, it becomes part of your public profile.

19 But so we did already cover termination
20 leprosy, which termination is a very fair threat, so to
21 speak. It's a threat. Okay. Termination. We're
22 threatening with replacing you. That's not illegal.
23 Leprosy was an easier way of saying the inability to
24 regain public trust ever again. But obviously, unless
25 I --

1 THE COURT: Sir, we've got to have a
2 question. You'll get to tell me that --

3 MR. RIDDLE: Oh, yes. I apologize.

4 THE COURT: -- a chance to tell me that
5 when you testify.

6 BY MR. RIDDLE:

7 Q. You mentioned that my comment that, We have
8 the police that you trust, was of concern to you. How
9 many times did you or the board member or Dr. Logan or
10 the Omaha Public Schools, that you're aware of, call the
11 police on me for asking, first, those questions? For
12 calling them on Jaden for showing up at the meeting?

13 MS. ACKERMAN: Objection: Relevance and
14 foundation.

15 THE COURT: Well, you're asking her, sir,
16 how many times she has asked for the police to approach
17 you at one of these meetings?

18 MR. RIDDLE: No. They called me.

19 THE COURT: Called you at home? Called
20 you personally?

21 MR. RIDDLE: Correct. And they also
22 called and stopped by a student's house.

23 THE COURT: All right. Ma'am -- or,
24 Doctor, excuse me, if you'd go ahead and answer that.

25 THE WITNESS: I don't know. I've never

1 called the police on you.

2 BY MR. RIDDLE:

3 Q. Okay. Do you know who has?

4 A. I do not.

5 Q. Phase 2. Look forward to Phase 2. That was
6 public participation. How many emails would you say
7 you've gotten since I sent you that email and said I was
8 getting the public involved?

9 A. I can't count right now without going back to
10 my email.

11 Q. Would you say compared to the normal amount of
12 emails you typically get, you saw a large volume
13 increase?

14 A. I don't know.

15 Q. Okay. From the first meeting that I was there
16 where there was maybe, in my estimation, ten people in
17 the crowd, to the most recent one, would you say there
18 was a significant increase in public participation?

19 A. Not at the very last meeting, no.

20 Q. So you would say there were fewer people at
21 this last meeting than the first meeting?

22 A. Potentially, but I'm not sure.

23 Q. Have I ever personally threatened you?

24 A. Through the emails, yes.

25 Q. And those emails also went to nine other

1 individuals; is that correct?

2 A. I don't know. I just know that my name was on
3 the emails.

4 Q. And the other board members.

5 And of those nine individuals, how many of
6 them, that you're aware of, thought that I was
7 threatening them with anything more than legislative
8 action and getting the public involved, which is what I
9 stated?

10 MS. ACKERMAN: Objection: Your Honor,
11 foundation.

12 THE COURT: Sustained. She can't really
13 speak about what was in those other people's minds, sir.

14 MR. RIDDLE: Fair enough.

15 BY MR. RIDDLE:

16 Q. But to the best of your knowledge, none of
17 them have filed any type of protection order against me?

18 A. I don't know if they have or not.

19 Q. You stated that you didn't know why you were
20 receiving the emails. Did you read the questions that
21 were in the emails?

22 A. The very first email, yes, I did.

23 Q. Did you answer them?

24 A. I did not.

25 Q. To the best of your knowledge, did anybody

1 answer them?

2 A. I have no idea.

3 Q. Did I ask more than once?

4 A. Will you restate your question, please.

5 Q. Have I asked those questions more than once?

6 A. I don't know.

7 Q. Did I ask them in the meeting?

8 A. I don't know. I can't recall.

9 Q. Okay. Did I turn them in in the meeting with
10 paper for everybody and say, Here's these questions?

11 A. You may have provided them to Mr. Ray. There
12 were questions in our board office, yes.

13 Q. And do those have a routine to get answered?

14 A. Yes, they do.

15 Q. And what would that routine be?

16 A. Those questions would be asked -- answered by
17 district administration, not the board.

18 Q. And how long would that take?

19 A. I don't know what their process is, so I
20 cannot give you a time approximation.

21 Q. So it could be never?

22 A. Again, as I have already stated, I have no
23 idea.

24 MR. RIDDLE: No further --

25 THE WITNESS: I do know that --

1 MR. RIDDLE: -- questions, Your Honor.

2 THE COURT: All right. Thank you very
3 much.

4 Any redirect?

5 MS. ACKERMAN: No, I don't.

6 THE COURT: Doctor, you may step down.

7 Thank you very much.

8

9 THE WITNESS: Do I take these?

10 THE COURT REPORTER: I'll take them.

11 THE COURT: Just leave them right there.
12 Just leave them there.

13 THE COURT REPORTER: That's fine.

14 THE COURT: They are now Victoria's
15 responsibility.

16 All right. Any further evidence from the
17 plaintiff in this matter?

18 MS. ACKERMAN: No, Your Honor.

19 THE COURT: I'm sorry?

20 MS. ACKERMAN: No, Your Honor.

21 THE COURT: Okay. Thank you.

22 Sir, the plaintiff has rested. Do you have
23 any evidence, witnesses you would like to call?

24 MR. RIDDLE: Just --

25 THE COURT: That includes yourself.

1 MR. RIDDLE: -- myself.

2 THE COURT: Okay. You would like to
3 testify yourself?

4 MR. RIDDLE: I would like to, yes.

5 THE COURT: All right. So we'll do the
6 same process. Since you're sitting there by yourself,
7 we'll just let you remain there. Is that okay?

8 MR. RIDDLE: That sounds great.

9 THE COURT: And then when you're done,
10 I've got to allow counsel to ask any questions that she
11 may want to ask. Okay?

12 MR. RIDDLE: Absolutely.

13 THE COURT: Can I get you to raise your
14 right hand.

15 JUSTIN RIDDLE,

16 having been first duly sworn,

17 was examined and testified as follows:

18 DIRECT EXAMINATION

19 THE COURT: Could you tell me your name,
20 please.

21 MR. RIDDLE: My name is Justin Riddle.

22 THE COURT: All right. Sir, since you
23 don't have a lawyer, it's really not a question-and-
24 answer kind of process --

25 MR. RIDDLE: A narrative.

1 THE COURT: -- but keep your answers to
2 -- or your statements, the best you can, to the issues
3 that were presented here today. Okay?

4 MR. RIDDLE: Absolutely.

5 THE COURT: All right. Go ahead.

6 MR. RIDDLE: We already went over the
7 sheet marked A in my exhibit. If we would go to the
8 next sheet marked B. This is -- this is the tweet that
9 I sent that caused her to block me. I'll read them out
10 loud. "So far she has done a great job of eliminating
11 free speech at the board meetings. That seems like a
12 silly way to spend districts money." In response to,
13 "We are certainly up for the challenge and working close
14 with you for staff, students and parents of the Omaha
15 Public Schools. Thank you, Dr. Logan," I said, "Except
16 if they want to voice a concern. Then, you aren't
17 excited. You just have the sound guy cut the Mike and
18 the security remove someone who wasn't the disruption.
19 Microphones are not necessary, but you already knew
20 that."

21 I don't have the tweet to this, but my
22 response, "Strong enough, in fact, that if she doesn't
23 like what she hears, she will silence the parents.
24 Fortunately, the Nebraska Department of Education knows
25 that federal law applies to free speech, not district

1 tyrants. I have a feeling I will be allowed to speak
2 next week."

3 The next one, "Interesting little fact... Next
4 Monday when Shavonna tries to violate my freedom of
5 speech again, she will be signing her own lawsuit.
6 Apparently, it's that whole "white privilege" thing that
7 made it acceptable to silence me and my mother. We will
8 see how it goes."

9 And finally, "Here's a great example of how
10 @DrShavonna @OPS_LoganSupt eliminated that very
11 amendment from a teacher of 36 YEARS in
12 @OmahaPublicSchool. Insane!!!!."

13 Now, I would like to point out, and again, I'm
14 fully aware that I don't have to teach you the law or
15 anything, so I'll just kind of give you my input. But
16 it is -- that is a public forum, and she's using it for
17 her board position, and those tweets right there were
18 not offensive at all. If that was the -- first of all,
19 nothing close to a violation of Twitter, nothing close
20 to a violation of even decent human practices. That was
21 those -- that was the tweet. Those were the tweets that
22 she decided were such a problem that she decided to
23 block me from being able to see her account, which
24 again, has recently, in the Sixth Court, been upheld
25 still that they can't do that.

1 And again, all of these videos or all these
2 meetings are on video. So obviously, there was -- when
3 she had turned off the mic and I turned around to speak
4 to the crowd -- because that's what I was there for.
5 They're doing things in this district -- for example,
6 the first time I reached out and sent emails about this
7 to the superintendent, I was called by the Emotional
8 Wellness Department of the Omaha Police Department
9 because they just heard that I was so upset about
10 critical race theory that I might hurt myself, and so
11 they had to reach out to me. Okay. Then when a student
12 showed up a week later at the meeting --

13 MS. ACKERMAN: Your Honor, I would object
14 on relevance on this.

15 THE COURT: Overruled.

16 Go ahead, sir.

17 MR. RIDDLE: Thank you, sir.

18 When a student showed up at the meeting the
19 following week, before he even got home, the police had
20 called his parents. And then they showed up at his
21 house two days later and wanted to search his house,
22 search his room for nothing. He had no -- nothing
23 specific. Just maybe drugs, maybe weapons, just maybe
24 letters, just -- I mean, this is what the school is
25 sending.

1 I've spoken with numerous parents that have
2 had CPS as well called on them for these specific
3 things; for disagreeing with masks or disagreeing with
4 critical race theory. The board calls employers of
5 people who object. And they use every strategy to
6 silence people that are speaking out.

7 Now, I've made zero threats of violence. I
8 have gotten the community involved, as stated. Hundreds
9 and hundreds of people. They constantly violate the
10 Open Meetings Act, and it's all on video.

11 I already went over the cops, board members.

12 Again, I maintain that she did not explain the
13 procedures in the first meeting I attended up front.
14 She did on each subsequent meeting, but not in the first
15 one, and, as a layman, I can't be expected to know what
16 I wasn't instructed. Not that that excuses it. And I
17 did approach, but I was really speaking to the crowd.
18 And I backed up as soon as I realized how dumb that was.

19 And then again, prior to me going up there,
20 they silenced my mom, who was a teacher at Omaha Public
21 Schools for 36 years because she was playing a video of
22 somebody saying something and had a question about it.
23 But once they heard what it was, they did not want to
24 hear it. So what this school board has done -- and it's
25 the same thing you're seeing all across the country --

1 is they're trying to fear or scare people into not
2 objecting, not disagreeing. And anytime somebody does,
3 they use tactics like this where these tweets that are
4 -- I mean, can you imagine if these tweets were severe
5 enough that this is where we were at these days that
6 those tweets are saying somebody -- you're threatening a
7 public official with replacing them and leprosy, which
8 obviously is just an easier way of saying not getting
9 another job because you didn't do a good job this time?

10 This kind of stuff -- look, you see in the
11 other emails I reference that -- or we have family that
12 are friends. They're friends with some of my family.
13 So I've been very public about what I'm doing. I
14 haven't tried to -- you know, I can't imagine someone
15 like me with a family, with kids, with all this stuff
16 going on, bringing people in, getting the community
17 involved, and trying to shed light on what I can tell
18 you is illegal business practices in a very significant
19 way. And it's all on video. I didn't bring the videos,
20 but it's all there.

21 You know, I can't imagine that anything within
22 context could be taken as a threat, because the threat
23 that I made is we will replace you as you are allowed to
24 be replaced as a public official. Everything they've
25 done has been a violation. And the only one I can think

1 of is I did approach the podium, but really I was just
2 walking around because I walk when I talk.

3 THE COURT: All right, sir. Thank you.

4 Any questions of this witness?

5 MS. ACKERMAN: Yes, I do have a few
6 questions of him.

7 CROSS-EXAMINATION

8 BY MS. ACKERMAN:

9 Q. I believe that you've admitted that this was a
10 threat to Dr. Holman; is that correct?

11 A. That what was a threat? Termination?

12 Q. Termination, to destroy her reputation; is
13 that correct?

14 A. Termination is a -- is a -- yeah. I mean,
15 okay, it's a promise.

16 Q. It's an attempt to intimidate her?

17 A. It's an attempt to replace her.

18 Q. Okay. And you didn't say that you would
19 replace her through the voting methodology, did you?
20 You didn't say that?

21 A. No, I did say that in other subsequent emails
22 earlier.

23 Q. You didn't say that in these emails, did you?

24 A. Yes, in those emails. Yes.

25 Q. Okay. You were out to get her; isn't that

1 correct?

2 A. What -- define -- what do you mean, "I was out
3 to get her"?

4 Q. You were trying to get her to do something
5 through these emails, correct?

6 A. Which was what?

7 Q. I don't know. We haven't figured out what you
8 were trying to get her to do.

9 A. Well --

10 Q. You weren't talking about the issues, were
11 you?

12 A. The issue was that she silenced my speech for
13 a very unfair reason. She did it to another guy, and he
14 said that he had concerns for his safety. She still
15 insisted that he give his address. Which it's
16 specifically written in their rules, if somebody has a
17 concern for their safety, they don't have to. She
18 insisted on it. She also voted to have indemnification.
19 She voted for I to have indemnification, which it's also
20 against their policies. They don't follow any of their
21 policies.

22 Q. You have a procedure to bring the information.
23 You've not been silenced from talking at the board
24 meetings, have you, since that first one?

25 A. No.

1 Q. Okay. So you've had your opportunity to speak
2 at the board?

3 A. Correct.

4 Q. Okay. So none of your rights have been
5 violated in that regard; isn't that correct?

6 A. That is not correct.

7 Q. You have had an opportunity to speak?

8 A. Yes.

9 Q. Okay. And you threatened that you were going
10 to have an army of people behind you; isn't that
11 correct? "I've been contacted by hundreds of people";
12 isn't that correct?

13 A. Did I say "army"?

14 Q. Well, I think you said, I've been contacted by
15 hundreds of people.

16 A. Yes. I have been contacted by maybe more than
17 just hundreds of people.

18 Q. Yeah. "The things they have dug up on some of
19 you hold outs --" This is from your Page A.

20 A. Yes. Correct.

21 Q. The things that I've dug out --

22 A. That they have.

23 Q. -- "I could never have spent the time to
24 find."

25 A. Correct.

1 Q. Correct?

2 A. And do you know what happened with that
3 information?

4 Q. I don't.

5 A. That's where the people that contacted me
6 found the mostly nude pictures of one of the board
7 members and sent them to the news. And the picture of
8 the board member that wears the shirt that says, F-U
9 girl, but it's not bleeped out. And he's a board
10 member, and he wears it on his page. So yes, that
11 information that was dug up is what you're asking about.
12 That's correct.

13 Q. So that's the type of information you're
14 saying --

15 A. People dug that up, yes.

16 Q. Okay. Isn't it correct -- would you admit --
17 agree with me that you had contacted Mr. Barry Thomas
18 about that video that you're talking about on critical
19 race theory, the Title 9 person at OPS?

20 A. I --

21 Q. Isn't that the Barry you refer to when you
22 were going to --

23 A. I guess I don't know the question in relevance
24 to this.

25 THE COURT REPORTER: Just hold on. Just

1 one second. Can we speak one at a time. And can I have
2 you speak into your microphone with the --

3 MS. ACKERMAN: Let me take it off.

4 THE COURT REPORTER: Thank you so much.

5 BY MS. ACKERMAN

6 Q. You, in your Exhibit A say, "The rest of you
7 will share the same fate that Cheryl and Barry will,"
8 right?

9 A. Correct.

10 Q. And you sent emails to, I believe, Mr. Barry
11 Thomas; isn't that correct?

12 A. Correct.

13 Q. And you also, I believe, posted some
14 information on Twitter -- is that correct -- concerning
15 the CRT?

16 A. Correct.

17 Q. Okay. Do you know who Kyle Rittenhouse is?

18 A. I do.

19 Q. And on one of those Twitter lines, wasn't
20 there --

21 MR. RIDDLE: Objection.

22 THE COURT: You've got to let her answer,
23 sir -- or let her finish her question.

24 BY MS. ACKERMAN:

25 Q. Kyle Ritt- -- who is Kyle Rittenhouse?

1 MR. RIDDLE: Relevance.

2 BY MS. ACKERMAN:

3 Q. Who is Kyle Rittenhouse?

4 THE COURT: Overruled.

5 THE WITNESS: Kyle Rittenhouse is a
6 person who was helping a community and was attacked by a
7 group of lawless thugs. And in doing so, he defended
8 himself and they died. And people that don't watch the
9 footage or understand self-defense have a major issue
10 with that.

11 BY MS. ACKERMAN:

12 Q. In fact, he went across state lines, didn't
13 he, and two people were murdered as a result of that --
14 isn't that correct -- and one other person injured?

15 A. Is that --

16 Q. It was against protesters; isn't that correct?

17 A. No, you're absolutely incorrect.

18 Q. And didn't you -- on one of those tweet lines,
19 it was, "#KyleRittenhouse Supporters. Please do me a
20 favor and retweet this. Not this, but the tweet I'm
21 retweeting." And this dealt with, "So @barryethomas is
22 technically promoting #CRT aka #criticalracetheory in
23 the @OmahaPublicSchool district, but claiming that
24 because they aren't calling it CRT, it's somehow
25 different?"

1 So you knew that you were targeting Kyle
2 Rittenhouse supporters on this, and that's the reference
3 that you were making here, that you would suffer the
4 same fate as Barry or Cheryl; isn't that correct?

5 A. No. That's ridiculous.

6 Q. Okay. And you were aware of this tweet to
7 Kyle Rittenhouse supporters; isn't that correct?

8 A. What --

9 Q. Isn't that correct?

10 A. Hold on. Are you asking if I was aware of a
11 tweet that asked other people to retweet bad behavior
12 from a district? Is that what your question is?

13 Q. Is that correct?

14 A. Is it --

15 Q. That was the question. Answer it.

16 A. Yes, I retweet. I had people retweet bad
17 behavior from a district.

18 Q. And one of them was the support Kyle
19 Rittenhouse supporters; isn't that correct?

20 A. That's -- okay, so which people is that?

21 Q. Why don't you take a look at that.

22 A. No, no. I mean, who does that entail?

23 Q. You tell me what that --

24 A. That entails half a dozen people that we
25 routinely argue with liars on Twitter about things like

1 saying that he crossed state lines with a gun and
2 murdered two protesters. First of all, as you know,
3 that trial hasn't happened, and there's a big divisive
4 position here. The video shows he was attacked.
5 Self-defense isn't murder.

6 Q. Okay. And if I'm correct, though, you
7 don't -- you admit that this is retweeting and you have
8 seen this?

9 A. Is that illegal?

10 MS. ACKERMAN: Okay. Your Honor, I'd
11 like to mark this as my next exhibit, please.

12 (Exhibit No. 10

13 marked for identification.)

14 THE COURT: Would you like to offer
15 Exhibit 10?

16 MS. ACKERMAN: I would like to offer that
17 into evidence.

18 THE COURT: Any objection to Exhibit 10,
19 sir?

20 MR. RIDDLE: I object because it's the
21 choice of who I communicate with. I mean, again --

22 THE COURT: Do you have an evidentiary
23 objection, sir?

24 MR. RIDDLE: It's real so, no. I mean, I
25 object based on relevance, but --

1 THE COURT: Okay.

2 MR. RIDDLE: -- yeah.

3 THE COURT: That's a fair objection, but
4 it's overruled.

5 MR. RIDDLE: Understood.

6 THE COURT: So Exhibit 10 will be
7 received.

8 MS. ACKERMAN: Mr. Riddle -- Your Honor,
9 I have no further questions.

10 THE COURT: Okay. All right.

11 Mr. Riddle, do you have any further evidence
12 you'd like to offer here today? Any other further
13 witnesses, I should say?

14 MR. RIDDLE: No, Your Honor, I -- you
15 know, I believe it's a --

16 THE COURT: Okay. Okay. All right.
17 Well, the Court will take -- well, any closing arguments
18 from anybody?

19 MS. ACKERMAN: What we'd like to do is
20 present the Court a petitioner's bench brief. And I
21 have one here for Mr. Riddle and one for you. I know
22 that the Court has -- is busy today, so --

23 THE COURT: I'm going to ask you a favor
24 since you're standing there. Would you give those --

25 MS. ACKERMAN: I certainly will. Thank

1 you.

2 THE COURT: -- to her so I don't forget
3 to.

4 THE COURT REPORTER: Thank you.

5 THE COURT: All right. Mr. Riddle, they
6 have given me what we would kind of call a closing
7 argument in writing. I will accept that, and I will
8 read it. But otherwise, I'm going to take the matter
9 under advisement and review the record and decide what
10 I'm going to do, and then I'll send out an order
11 possibly today. I'm moving courtrooms today, and
12 they're taking my computer down at 11:00 and my help.
13 So if not today, hopefully we'll be set back up by
14 tomorrow.

15 MS. ACKERMAN: Your Honor, we're
16 requesting that the protection order be continued
17 throughout the next year.

18 THE COURT: Certainly. By law, the ex
19 parte will stay enforced until I either terminate it or
20 continue it with another order.

21 MS. ACKERMAN: Thank you.

22 THE COURT: Okay. So thank you
23 everybody. Why don't we, for -- anyhow, why don't we
24 allow the Petitioner to -- I'd ask you to sit there for
25 a second, sir, and let the Petitioner leave the

1 courtroom. And then in a few minutes, then you will be
2 allowed to leave. Okay?

3 MR. RIDDLE: Okay.

4 THE COURT: Kind of a standard practice
5 we do for protection orders.

6 MR. RIDDLE: Sure.

7 (9:41 a.m. - Adjournment.)

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